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SONOMA COUNTY
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title > [Regulation 3: fees; 2nd draft]

May 23, 1980

TO: ALL INTERESTED PERSONS
FROM: AIR POLLUTION CONTROL OFFICER
SUBJECT: SECOND WORKSHOP ON PERMIT FEES

As you know we have scheduled a second workshop on Permit Fees for May 28, 1980 at 2:00 p.m. in the District Board Room.

Attached is a second draft of the proposal which was discussed at our first workshop on May 15, 1980.

I believe we have incorporated most of the comments we received at that time, and we will be looking forward to your comments on May 28th.

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May, 1980

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BULK PLANTS AND TERMINALS

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REGULATION 3

FEEs

3-100 GENERAL

3-101 DESCRIPTION: This Regulation establishes fees to be charged for Hearing Board filings, for permits and for other District services.

3-102 EXEMPTION, PUBLIC AGENCIES: Any federal, state or local agency or public district, except a publicly owned utility, is exempt from paying the fees prescribed.

3-103 EXEMPTION, ABATEMENT EQUIPMENT: Except for a Filing Fee, fees shall not be required for any piece of equipment whose sole function is to reduce the emission of contaminants to the atmosphere.

3-200 DEFINITIONS

3-201 CANCELLED APPLICATION: Any application which has been determined to be complete and is subsequently withdrawn by the applicant.

3-202 CHANGE OF LOCATION: Any transfer of an existing permitted source from one location to another not on the same property or facility.

3-203 FILING FEE: A fixed fee for a single application for one or more authorities to construct.

3-204 INITIAL FEE: A fee for each new or modified source based on the type and size of the source.

3-205 INTERNAL OFFSET: Any reduction of emissions below those required by any regulation of the District or the Air Quality Management Plan, including the shutdown of sources,

where the reduced emissions are to be used subsequently to offset emission increases at the facility.

3-206 MODIFICATION: See Section 1-217 of Regulation 1.

3-207 RENEWAL FEE: A fee required for the annual renewal of a permit to operate.

3-208 RESUBMITTED APPLICATION: Any application which has been determined to be complete, on which some evaluation has been undertaken, which has been subsequently cancelled or withdrawn by the applicant, and which is then resubmitted with changes.

3-209 SMALL BUSINESS: A business as defined in Section 1896 of Title 2 of the California Administrative Code.

3-210 SOURCE: See Section 1-227 of Regulation 1.

3-300 STANDARDS

3-301 HEARING BOARD FEES: Applicants for variances or those seeking to revoke or modify variances shall pay the applicable fees set forth in Schedule A.

3-302 FEES FOR NEW AND MODIFIED SOURCES: Applicants for authorities to construct and permits to operate new or modified sources shall pay a filing fee of \$100 plus the initial fee given in Schedules B, C, D, E or F. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. Applications for internal offsets shall be treated as applications for modified sources.

- 302.1 An applicant who qualifies as a small business shall pay the filing fee and, if the source falls under schedules B, C, E, or F, one half of the initial fee. If the source falls under schedule D, he shall pay the full initial fee.
- 302.2 The initial fee for modified sources which do not have a permit to operate because they were in operation prior to July 1, 1972 will be the same as for a new source.
- 302.3 Applicants for an authority to construct and permit to operate abatement equipment, where there is no other modification to the source, shall pay the filing fee but no initial fee.
- 3-303 RETROACTIVE PERMITS: An applicant required to obtain permits to operate existing facilities in accordance with Section 1-401 of Regulation 2 shall pay the renewal fees given in the appropriate Schedule (B, C, D, E, or F.)
- 3-304 REPLACEMENT: Applicants who are replacing sources or equipment with non-identical equipment will pay the filing fee plus the initial fee.
- 3-305 CANCELLATION OR WITHDRAWAL: There will be no refund of fees if an application is cancelled or withdrawn after it has been determined to be complete. However, if an application for essentially similar equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

- 3-306 CHANGE IN CONDITIONS: If an applicant applies to change the conditions on an existing authority to construct or permit to operate, he will pay a filing fee but no initial fee.
- 3-307 CHANGE OF OWNERSHIP: An applicant who wishes to record a change of ownership of a source which has an existing authority to construct or permit to operate will pay the filing fee but no initial fee.
- 3-308 CHANGE OF LOCATION: An applicant who wishes to move an existing source which has a permit to operate shall pay no fee if the move is on the same facility. He shall pay the filing fee and half the initial fee if the move is not on the same facility.
- 3-309 DUPLICATE PERMIT: An applicant for a duplicate permit to operate shall pay a fee of \$20 per permit.
- 3-310 LATE FEE: An applicant for a permit to operate a source which has been constructed without an authority to construct shall pay the filing fee plus 1.5 times the initial fee.
- 3-311 BANKING: Any applicant who wishes to bank emissions for future use shall pay a filing fee of \$900 plus \$150 per source. Any applicant for the withdrawal of banked emissions shall pay a fee of \$100.
- 3-400 ADMINISTRATIVE REQUIREMENTS

- 3-401 PERMITS: Definitions, standards and conditions contained in Regulation 2, Permits, are applicable to this regulation.
- 3-402 SINGLE ANNIVERSARY DATE: The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal.
- 3-403 CHANGE IN OPERATION PARAMETERS: See Section 1-404 of Regulation 2.
- 3-404 EXEMPTIONS: No fee is required for any source listed as exempted in Regulation 2, Sections 1-111 and 1-112.
- 3-405 FEES NOT PAID: If an applicant for an authority to construct a new or modified source has not paid the fees billed within 60 days of such billing, the application will be cancelled. Such a cancelled application can be reactivated on payment of fees. If fees for renewals of permits to operate are not paid within 60 days of billing, the facility will be notified that the permits have expired and that further operation is prohibited, unless excepted for good cause by the APCO. Reinstatement of a lapsed permit will require a penalty fee of 50% of the appropriate fee.

SCHEDULE A

SCHEDULE OF HEARING BOARD FEES

1. For each application for variance exceeding 90 days, in accordance with 42350, including applications on behalf of a class of applicants which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance \$300

Plus, for each hearing in addition to the first hearing necessary to dispose of said variance of application, in accordance with 42350, the additional sum of \$100

2. For each application for variance not exceeding 90 days in accordance with 42350, including applications on behalf of a class of applicants which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance \$100

Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with 42350, the additional sum of \$100

3. For each application to modify a variance, in accordance with 42356 \$100

Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with 42356, necessary to dispose of the application, the additional sum of \$100

4. For each application to extend a variance, in accordance with 42357 \$100

Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with 42357 necessary to dispose of the application, the additional sum of \$100

5. For each application to revoke a variance \$ 0

6. For each application for approval of a Schedule of Increments of Progress in accordance with 41703 \$ 0

7. For each application for variance in accordance with 41703, which exceeds 90 days \$300

Plus, for each hearing in addition to the first hearing on said application for variance, in accordance with 41703, the additional sum of \$100

8. For each application for variance in accordance with
41703, not to exceed 90 days \$100

Plus, for each hearing in addition to the first hearing
on said application for a variance in accordance with
41703, the additional sum of \$100

9. For each application for relief in accordance with
Regulation 2 (Permits) \$ 0

10. A person who certifies under penalty of perjury that the
payment of the foregoing fees will cause an unreasonable
hardship, may be excused from the payment of fees by
order of the Hearing Board on that account .

11. Public agencies qualifying under Government Code 6103
shall be exempt from the payment of filing fees.

(Code section references are to the California Health and Safety
Code, unless otherwise indicated.)

SCHEDULE B

COMBUSTION OF FUEL

For each source which burns fuel, which is not a flare, and which is not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum BTU/hr capacity of the source, as follows:

1. INITIAL FEE: \$20 per MM BTU/HOUR
 - 1a. All ratings rounded to the nearest MM BTU/HR
 - 1b. The minimum fee per source is \$100
 - 1c. The maximum fee per source is \$20,000
2. RENEWAL FEE: \$10 per MM BTU/HOUR
 - 2a. All ratings rounded to the nearest MM BTU/HR
 - 2b. The minimum fee per source is \$50
 - 2c. The maximum fee per source is \$10,000

NOTE: MM BTU is million BTU

One MM BTU/HR = 1.06 gigajoules/HR

SCHEDULE C

STATIONARY CONTAINERS FOR THE STORAGE OF ORGANIC LIQUIDS

For each stationary container of organic liquids which is not exempted from permits by Regulation 2, Sections 1-111 and 1-112, and which is not part of a service station selling gasoline, the fee shall be computed based on the container volume rounded to the nearest thousand gallons, as follows:

1. INITIAL FEE: \$1 per 1,000 gallons
 - 1a. The minimum fee per source is \$100
 - 1b. The maximum fee per source is \$10,000
2. RENEWAL FEE: \$0.50 per 1,000 gallons
 - 2a. The minimum fee per source is \$50
 - 2b. The maximum fee per source is \$5,000.

SCHEDULE D

GASOLINE TRANSFER AT SERVICE STATIONS, BULK PLANTS AND TERMINALS

1. All service stations selling gasoline or gasohol shall pay the following fees:
 - 1a. INITIAL FEE: \$30 per nozzle
 - 1b. RENEWAL FEE: \$15 per nozzle
2. Nozzles used exclusively for the delivery of diesel fuel pay no fee.
3. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:
 - 1a. INITIAL FEE = \$300 per loading arm
 - 1b. RENEWAL FEE = \$150 per loading arm
4. Fees in (1) above are in lieu of tank fees. Fees in (3) above are in addition to tank fees.

SCHEDULE E

SOLVENT SOURCES

For each source using organic solvent or material containing organic solvent, the fee shall be computed based on the net annual usage of solvent*.

1. INITIAL FEE: \$100 per 1000 gallons used on a net annual basis.

1a. The minimum fee per source is \$100.

2. RENEWAL FEE

The renewal fee is one-half of the initial fee.

* "Net annual usage of solvent" means the total quantity of solvent used in the process minus the quantity recovered for reuse.

SCHEDULE F

MISCELLANEOUS SOURCES

For each source not covered by Schedules B, C, D, or E, the initial fee is \$100 and the renewal fee is \$50, except for those sources in the special classification lists below:

List of special CLASSIFICATIONS requiring graduated fees is shown in Schedules G1 and G2.

1. Fee for Schedule G1

The initial fee is \$600 and the renewal fee is \$300.

2. Fee for Schedule G2

The initial fee is \$2000 and the renewal fee is \$1000.

Schedule G1

CODE -----	DESCRIPTION -----
1019	FOOD/AG> Dryer - spray
2019	MTGL/PRI-FURN> Electric Induction Furnace
2021	MTGL/PRI-FURN> Electric arc furnace - Oxygen lanced
3012	MTGL/SEC-FURN> Electric arc furnace
3041	MTGL/SEC> Foil rolling
3042	MTGL/SEC> Galvanizing
4011	MINERL-FURN> Elec induction furnace
4012	MINERL-FURN> Electric furnace
4019	MINERL> Asphalt blowing
4020	MINERL> Asphalt dipping
4029	MINERL> Concrete batching - general
4032	MINERL> Crushing
4038	MINERL> Glass Mfg - batching
4041	MINERL> Glass Mfg - mixing
4042	MINERL> Glass Mfg - molten holding tanks
4044	MINERL> Grinding - cement
5026	PET REF> Hydrogen mfg
5031	PET REF> Isomerization
5029	PET REF> Solvent extraction
5001	PET REF> Asphalt oxidizer
5004	PET REF> Catalytic reforming
5017	PET REF> Oil-water separator
5027	PET REF> Distillation - crude
5010	PET REF> Fluid coking - storage
5028	PET REF> Distillation - other
5995	PET REF> Other/not specified
5019	PET REF> Thermal cracking
5021	PET REF> Hydrocracking
5022	PET REF> Hydrotreating/hydrofining
5993	PET REF> Other/not specified
6000-6999	INCINERATION
7024	CHEM/MISC> Calcining - other
7003	CHEM/MISC-DRY> Spray dryer
7050	CHEM/MISC> Sulfuric acid mfg - other/not specified
7065	CHEM/MISC> Phosphoric acid mfg - Thermal
7066	CHEM/MISC> Phosphoric acid mfg - Wet process
7084	CHEM/MISC> Sulfate pulping - liquor oxidation tower
7085	CHEM/MISC> Sulfate pulping - mult-effect evap
7086	CHEM/MISC> Sulfate pulping - smelt dissolv tank
7088	CHEM/MISC> Sulfate pulping - washer/screen
7089	CHEM/MISC> Sulfate pulping - other/not specified



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Schedule G2

CODE	DESCRIPTION
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5007	PET REF> Fluid cat cracker
5009	PET REF> Fluid coking - general
5018	PET REF> Delayed coking
7047	CHEM/MISC> Sulfuric acid mfg - chamber process
7048	CHEM/MISC> Sulfuric acid mfg - contact process
7049	CHEM/MISC> Sulfuric acid regenerators
7055	CHEM/MISC> Claus - modified 2 stage
7056	CHEM/MISC> Claus - modified 3 stage
7057	CHEM/MISC> Claus - modified 4 stage
7063	CHEM/MISC> Nitric acid mfg - Ammonia oxid new
7064	CHEM/MISC> Nitric acid mfg - Ammonia oxid old

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